

ASSEMBLY BILL

No. 912

Introduced by Assembly Member Gordon

February 17, 2011

An act to amend Section 57077 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 912, as introduced, Gordon. Local government: organization.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires a local agency formation commission, where the commission is considering a change of organization that consists of a dissolution, disincorporation, incorporation, establishment of a subsidiary district, consolidation, or merger, to either order a change of organization subject to confirmation of the voters, as specified, or order the change of organization without an election if the change of organization meets certain requirements.

This bill would authorize the commission, where the commission is considering a change of organization that consists of the dissolution of a district with zero sphere of influence, to immediately order the dissolution if the dissolution was initiated by the district board, or to, within 30 days following the approval of the application by the commission, hold at least one noticed public hearing on the proposal, and order the dissolution without an election, unless a majority protest exists, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 57077 of the Government Code is amended to read:

57077. (a) If a change of organization consists of a dissolution, disincorporation, incorporation, establishment of a subsidiary district, consolidation, or merger, the commission shall do either of the following:

(1) Order the change of organization subject to confirmation of the voters, or in the case of a landowner-voter district, subject to confirmation by the landowners, unless otherwise stated in the formation provisions of the enabling statute of the district or otherwise authorized pursuant to Section 56854.

(2) Order the change of organization without election if it is a change of organization that meets the requirements of Section 56854, 57081, 57102, or 57107; otherwise, the commission shall take the action specified in paragraph (1).

(b) If a change of organization consists of the dissolution of a district with zero sphere of influence, the commission may do either of the following:

(1) If the dissolution was initiated by the district board, immediately order the dissolution.

(2) Within 30 days following the approval of the application by the commission, hold at least one noticed public hearing on the proposal. Following the conclusion of the hearing, the commission may order the dissolution without an election, unless a majority protest exists, pursuant to Section 57078.

~~(b)~~

(c) If a reorganization consists of one or more dissolutions, incorporations, formations, disincorporations, mergers, establishments of subsidiary districts, consolidations, or any combination of those proposals, the commission shall do either of the following:

(1) Order the reorganization subject to confirmation of the voters, or in the case of landowner-voter districts, subject to confirmation by the landowners, unless otherwise authorized pursuant to Section 56854.

(2) Order the reorganization without election if it is a reorganization that meets the requirements of Section 56853.5,

- 1 56853.6, 56854, 57081, 57102, 57107, or 57111; otherwise, the
- 2 commission shall take the action specified in paragraph (1).

O